

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**MICHAEL EDWARD ALLEN and
MARJORIE LECLAIR**

PLAINTIFFS

v.

CASE NO. 4:13CV00068 BSM

ESTER BASS, *et al.*

DEFENDANTS

ORDER

The proposed findings and recommended disposition [Doc. No. 6] submitted by United States Magistrate Judge Joe Volpe have been reviewed. No objections have been filed. After careful consideration and a *de novo* review of the record, it is found that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety.

IT IS THEREFORE ORDERED THAT:

1. Plaintiffs' complaint is dismissed without prejudice.
2. Dismissal of the complaint constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. Section 1915(g).
3. It is certified, pursuant to 28 U.S.C. Section 1915(a)(3), that an *in forma pauperis* appeal would not be taken in good faith.
4. All pending motions are denied as moot.

Dated this 25th day of April 2013.


UNITED STATES DISTRICT JUDGE